

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

P.M.W.A. HAIR STYLIST INC.,

Plaintiff,

v.

PMAW HAIR STYLING, LTD., ADRIAN H.
WOOD, VIVIEN T. LEGUNN, LLC, and VIVIEN
T. LEGUNN

Defendants

Civil Action No. 1:23-cv-03449 - PKC

PMAW HAIR STYLING, LTD. and ADRIAN H.
WOOD,

Counterclaim/Third-Party

Plaintiffs,

v.

P.M.W.A. HAIR STYLIST INC.,

Counterclaim-Defendant,

and

WAI YEE ROONEY a/k/a SUSAN ROONEY,

Third-Party Defendant

JOINT MOTION TO STAY PROCEEDINGS

The parties, Plaintiff and Counterclaim Defendant P.M.W.A. Hair Stylist Inc. (“P.M.W.A.”), Third-Party Defendant Wai Yee Rooney a/k/a Susan Rooney (“Rooney”), Defendants and Counterclaim/Third-Party Plaintiffs PMAW Hair Styling Ltd. (“PMAW”) and Adrian H. Wood (“Wood”), and Defendants Vivien T. Legunn, LLC and Vivien T. Legunn (collectively “Legunn Defendants”) (collectively the “Parties”), hereby respectfully jointly move this Court to stay this action in its entirety pending a final judgement in *P.M.W.A. Hair Stylist*

Inc., et al. v. PMAW Hair Styling, Ltd., et al., Supreme Court New York County (Index Number 650915/2022) (“New York State Action”).

“The power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its own docket with economy of time and effort for itself, for counsel, and for litigants.” *LaSala v. Needham & Co., Inc.*, 399 F. Supp. 2d 421, 427 (S.D.N.Y. 2005) (quoting *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936)). A stay is appropriate here not only to conserve the Parties’ and the Court’s time and resources, but also in order to further settlement. *See, e.g.*, 13B Charles A. Wright, et al., *Federal Practice & Procedure* 3533.2 (2009); *In re Parmalat Sec. Litig.*, No. 04-md-1653 (S.D.N.Y. Nov. 22, 2006).

The Parties have been engaged in settlement discussions. The Parties have met with the appointed mediator, Daniel Kolb, on numerous occasions since August 2023 and are actively working to reach a global settlement without the necessity of continued litigation. In the event the Parties are unable to reach a global settlement, the Parties currently believe that their resources, as well as judicial resources, are best spent on resolving the dispute in the New York State Action. In the event that circumstances change, the Parties reserve the right to move to the Court to lift the stay.

In the event the Court declines the Parties’ joint request to stay the case, the Parties respectfully move this Court to for a sixty (60) day extension of fact discovery and all subsequent deadlines to give the Parties sufficient time to take depositions, resolve outstanding discovery issues and complete discovery.

/Lori L. Cooper/

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Dated: November 14, 2023

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Dated: November 14, 2023

/Robert H. Rosh/

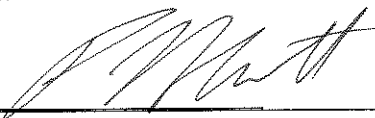
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Dated: November 14, 2023

*The action is stayed
until March 1, 2024
on which date the
parties shall report on status
December 1, 2023 conference is VACATED*

So Ordered:


P. Kevin Castel
United States District Judge

Dated: New York, New York
November 30, 2023

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was filed electronically with the Clerk of Court using the CM/ECF system, which will automatically serve and send electronic notification of such filing to all counsel of record.

Dated: November 14, 2023

/Tatyana Voloshchuk/

Tatyana Voloshchuk